



PATENT

Case 0876-0086.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )

James H. Keithly, et al. )

JUICES INCORPORATING )  
MID-SEASON ORANGE CULTIVARS )

Serial No.: 10/650,291 )

Filed: August 28, 2003 )

Examiner:  
Group Art Unit:

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Date of Deposit October 1, 2003

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Sir:

The references listed on the attached PTO form are called to the attention of the U.S. Patent and Trademark Office. Applicants enclose a copy of only those references which are listed on sheet 2 of 9 and sheet 9 of 9. All others had been submitted in the original application and/or in the pending divisional application, and copies of these are not enclosed.

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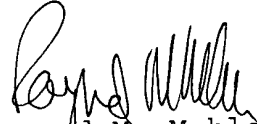
Serial No. 10/650,291

- 2 -

is more material than these references, or that the information is considered to be material to patentability.

Respectfully submitted,

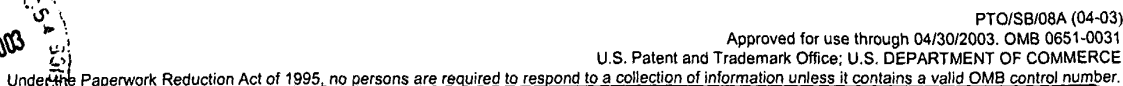
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CUMMINGS & MEHLER, LTD.



Raymond M. Mehler  
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Suite 2850  
Chicago, Illinois 60606  
(312) 236-8500

Dated: October 1, 2003



(Use as many sheets as necessary)

Sheet	1	of	9
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Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-086.01

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>6</sup> (if known)	MM-DD-YYYY			
		EP 0288103 A	10-26-1988	Procter & Gamble		
		WO 01/87092	11-22-2001	The Coca-Cola Company		

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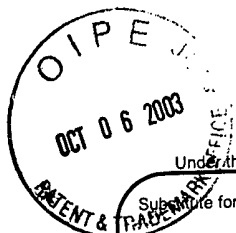
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/650,291
		Filing Date	August 28, 2003
		First Named Inventor	James H. Keithly
		Art Unit	
		Examiner Name	
Sheet 3	of 9	Attorney Docket Number	0876-0086.01

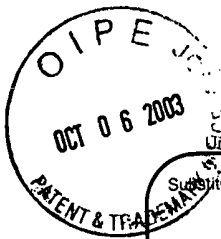
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A	ANDRADE ET AL., "Measuring Certain Characteristics of West adn Maracana Sweet Orange Trees",  Scientific, 6(1):93-100, 1978.	
	B	LUFUENTE ET AL., "Methods Used to Obtain Blends of Orange-Juice Having a Pre-Established Color",  Journal of Agrochemistry and Food Technology, 19(4):549-553, 1979.	
	C	PIO, ET AL., "A Study on Some Fruit and Seed Characteristics of Various Types of Sweet Orange Citrus  sinensis", (L.) Orsbeck, San Paulo, Brazil, Vol. 2, pp 632-641, 1984.	
	D	PAO, ET AL., "Formulation and Sensory Evaluation of Fresh-Squeezed, unpasteurized Citrus Juice  Blends," Fruit Processing, Florida Dept. of Citrus, 1996.	
	E	NELSON ET AL., "Fruit and Vetgetable Juice Processing Technology, 3rd Ed. Avi Publishing Co.,  CT, pp. 41, 42 and 64. (1980).	

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		First Named Inventor	James H. Keithly		
		Art Unit			
		Examiner Name			
Sheet	4	of	9	Attorney Docket Number	0876-0086.01

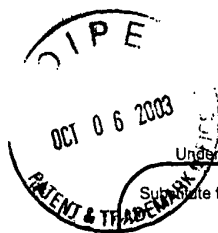
NON PATENT LITERATURE DOCUMENTS			
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	F	REDD ET AL., "Quality Control Manual For Citrus Processing Plants, Volume 1, pages 22-31, Intercit, Inc., Safety Harbor, Florida (1986).	
	G	CASTLE, "Promising New Selections of Sweet Orange Cultivars" Citrus Industry, Vol. 8, No. 6, June 1999.	
	H	BONAVENTURA, S., 1993. "Refrigeration of Blood Oranges Destined for Transformation" Fluessiges obst	
		60 (8), Fruit processing 3(8), 284, 286-289. abstract only.	
	I	GMITTER, "Characteristics and Potential of New Citrus Cultivars", Citrus Processing Short Course	
		1995, Food Industry Short Course Proceedings, Florida Agricultural Experiment Station Journal Series	
		No. N-01137 (p. 165-172), USA 1995	

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Supplement for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 5 of 9

**Complete if Known**

Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-0086.01

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	J	WIDMER & BARROS, "Flavonoids in Ambersweet Orange and the Impact on Juice Adulteration Detection",  46th Annual Citrus Processors' Meeting October 11, 1995 (p. 21-26), Citrus Research and Education Center, Lake Alfred, Florida (Univ. of Florida)(1992).	
	K	CASTLE, "Varieties, Rootstockes, and Juice Quality", Citrus Processing-Present and Future, 1992 Food  Industry Short Course, Florida Agricultural Experiment Station Journal Series No. N-00640 (p. 1-9).	
	L	Declaration of William S. Castle, 12 November 2001.	
	M	PIO, ET AL., "Study of Some Characteristics of Fruit and Seeds of Various Kinds of Sweet Orange,  Citrus sinensis (L.) Osbeck, (p. 1-12) Sao Paulo, Brazil (circa 1983) (with English translation).	
	N	Request for Ex Parte Reexamination and Thrid Party Requester's Statement Pursuant to 37 C.F.R.  §§ 1.510(b)(1) and b (d).	

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Sheet 6 of 9

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	O	BARROS and CARTER, "'Amersweet Orange' - Processed Juice Quality Characteristics", Florida Department of Citrus, 1990 and C.J. Hearn, United States Dept. of Agriculture.	
	P	DONADIO, ET AL., "Evaluation of Sweet Orange Preimmunized Clones", Proc. Interamer, Soc. Trop. Hort. 39:103-105. 1995.	
	Q	LEE and CASTLE, "Seasonal Changes of Carotenoid Pigments and Color in Hamlin, Earlygold, and Budd Blood Orange Juices", J. Agric. Food Chem. 2001, 49, 877-882.	
	R	ANDRADE ET AL., "Determinacao De Algumas Caracteristicas Das Laranjeiras DOces Westin E. Maracana, (Citrus sinensis L. Osbeck).	
	S	PCT International Preliminary Examination Report.	
	T	Petitioner's Reply to Patetn Owner's Statement.	

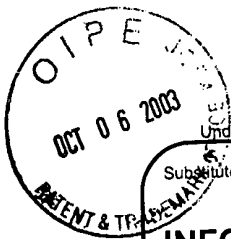
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/650,291
Filing Date	August 28, 2003
First Named Inventor	James H. Keithly
Art Unit	
Examiner Name	
Attorney Docket Number	0876-0086.01

Sheet 7 of 9

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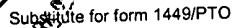
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	U	EP Search Report 00 932 189.4.	
	V	Office Action in Ex Parte Reexamination.	
	W	Declaration of Kevin Gaffney.	
	X	Declaration of John Attaway, Sr.	
	Y	Patent Owner's Statement	
	Z	Declaration of Norman Todd	
	AA	Declaration of James H. Keithly	
	BB	Declaration of Juliana Parente	
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August 28, 2003

**First Named Inventor**

James H. Keithly

Art Unit

Examiner Name

Attorney Docket Number

0876-0086.01

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Initials\*Cite  
No.<sup>1</sup>

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

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DD

PIO, ET AL., "Study of Some Characteristics of Fruit and Seeds of Various Kinds of Sweet Orange,

*Citrus sinensis*", (L) Osbeck, Sao Paulo, Brazil (circa 1983).

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Signature

Date \_\_\_\_\_

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Sheet	9	of	9	Attorney Docket Number	0876-0086.01

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	EE	PCT International Search Report, PCT/US01/25028, May 6, 2002.	
	FF	GALLASCH, "Effect of time of harvest on alternate cropping yields and fruit quality of Valencia orange trees, XP-001077814, pgs 461-464, Australian Journal of Experimental Agricultural and Animal Husbandry: Vol 18, June, 1978.	
	GG	PAO, ET AL., "Formulation and sensory evaluation of fresh-squeezed, unpasteurized citrus juice blends", Florida Dep. of Citrus, 1996. Abstract XP-002149006.	

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